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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

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UNITED STATES OF AMERICA,	)	Cause No. CR-18-120–BLG-SPW
	)	
Plaintiff,	)	
	)	
vs.	)	<b>MOTION TO WITHDRAW AS</b>
	)	<b>COUNSEL AND TO APPOINT</b>
VICTOR ELVIN LOPEZ,	)	<b>NEW COUNSEL</b>
	)	
Defendant.	)	

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Vernon E. Woodward, CJA counsel for the defendant, hereby moves the Court to enter its Order allowing him to withdraw as counsel for the defendant and appointing a CJA panel attorney in his stead.

This motion is based upon the following:

1. Without using the exact phrase, Defendant has alleged ineffective assistance of counsel;

2. It is apparent to counsel that the defendant does not trust counsel's advice or strategy, which is likely to result in post-conviction litigation should the defendant be found guilty;

3. Defendant has demanded that counsel withdraw; and

5. Defendant deserves a lawyer with whom he can communicate and in whom he can place his trust.

AUSA Bryan Dake has been contacted concerning the filing of this motion.

Counsel has contacted the Federal Defenders of Montana concerning the need to find replacement counsel.

Defendant is in custody.

RESPECTFULLY SUBMITTED this 15th day of June, 2020.

/s/ Vernon E. Woodward

Vernon E. Woodward  
Attorney for Defendant

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 15, 2020, a copy of the foregoing document was served on the following persons by the following means:

<u>1, 2</u>	CM-ECF
<u>          </u>	Hand Delivery
<u>          </u>	Fax
<u>3</u>	Mail
<u>          </u>	E-Mail

1. CLERK, U.S. DISTRICT COURT
2. BRYAN DAKE,  
Assistant United States Attorney  
United States Attorney's Office  
2601 2nd Avenue North, Ste. 3200  
Billings, Montana 59101  
Counsel for the United States
3. Victor Elvin Lopez,  
Defendant

/s/ Vernon E. Woodward